

BILLIE LM ADDLEMAN, #6-3690

ERIN E. BERRY, #7-6063

Hirst Applegate, LLP

P. O. Box 1083

Cheyenne, WY 82003-1083

Phone: (307) 632-0541

Fax: (307) 632-4999

baddleman@hirstapplegate.com

eberry@hirstapplegate.com

Counsel for Defendant the Federal Reserve Bank of Kansas City

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

CUSTODIA BANK, INC.,

Plaintiff,

v.

FEDERAL RESERVE BOARD OF
GOVERNORS and FEDERAL RESERVE
BANK OF KANSAS CITY,

Defendants.

No. 1:22-cv-00125-SWS

**DEFENDANTS FEDERAL RESERVE BOARD OF GOVERNORS AND FEDERAL
RESERVE BANK OF KANSAS CITY'S UNOPPOSED MOTION FOR LEAVE TO FILE
EXCESS PAGES**

Defendants Board of Governors of the Federal Reserve System (“the Board”) and Federal Reserve Bank of Kansas City (“FRBKC”) move this Court for leave to file forthcoming motions with excess pages, and in support of such motion, state as follows:

1. On November 27, 2023, the parties filed a Joint Motion and Stipulation to Align and Consolidate APA and Summary Judgment Briefing (“Joint Stipulation”). (ECF No. 219.)

Under the Joint Stipulation, the parties asked the court to amend the Second Amended Scheduling

Order (ECF No. 211) “so that the appellate briefing dates align with the dispositive motion briefing dates.” (ECF No. 219 ¶ 5.) The parties further stipulated that “[i]f the current scheduling order is so amended, the parties intend to move the court for a page extension on the combined briefing at a later date.” (Id. ¶ 5.).

2. Pursuant to Local Rule 83.6(c) and Fed. R. App. 32(a)(7)(B)(i), the Board is entitled to 13,000 words for its Opposition to Plaintiff’s Petition for Administrative Procedure Act Review. 13,000 words equates to roughly 40 pages of written material. In order to fully brief the Court on the relevant issues, the Board requests permission to file an Opposition that is no longer than 45 pages.

3. Pursuant to Local Rule 7.1(b)(2)(B), FRBKC is entitled to 25 pages for its Cross-Motion for Summary Judgment and 25 pages for its Opposition to Plaintiff’s Petition for Review and Motion for Judgment as a Matter of Law. In order to fully brief the Court on the relevant issues, FRBKC requests permission to file its Opposition to Plaintiff’s motion and a cross-motion for summary judgment with a combined length that is no longer than 50 pages.

4. Pursuant to Local Rule 7.1(b)(1)(C), FRBKC is entitled to 10 pages for each of its motions to exclude Plaintiff’s expert witnesses. In order to fully brief the Court on the relevant issues, Defendants request permission to file motions to exclude not to exceed 15 pages in length.

5. Counsel for Defendants has met and conferred with Plaintiff’s counsel regarding the requested page limits, and Plaintiff’s counsel has consented to the requested relief.

WHEREFORE, Defendants respectfully move the Court for leave to file the above-referenced papers within the requested page limitations.

Date: January 23, 2024.

/s/ Billie LM Addleman

Billie LM Addleman, #6-3690
Erin E. Berry, #7-6063
Of Hirst Applegate, LLP
P. O. Box 1083
Cheyenne, WY 82003-1083
Phone: (307) 632-0541
Fax: (307) 632-4999
baddleman@hirstapplegate.com
eberry@hirstapplegate.com

Andrew Michaelson
Laura Harris
KING & SPALDING LLP
1185 Avenue of the Americas
34th Floor
New York, NY 10036
Phone: (212) 556-2100
amichaelson@kslaw.com
lharris@kslaw.com

Jeffrey S. Bucholtz
Joshua N. Mitchell
Christine M. Carletta
KING & SPALDING LLP
1700 Pennsylvania Ave NW
Washington, DC 20006
Phone: (202) 737-0500
jbucholtz@kslaw.com
jmittchell@kslaw.com
ccarletta@kslaw.com

Counsel for Defendant the Federal Reserve Bank of Kansas City

/s/ Joshua P. Chadwick

Mark Van Der Weide, General Counsel
Richard M. Ashton, Deputy General Counsel
Joshua P. Chadwick, Senior Special Counsel (*pro hac vice*)
Yvonne F. Mizusawa, Senior Counsel (*pro hac vice*)
Yonatan Gelblum, Senior Counsel (*pro hac vice*)
Katherine Pomeroy, Senior Counsel (*pro hac vice*)
Board of Governors of the Federal Reserve System
20th Street and Constitution Avenue, N.W.
Washington, D.C. 20551
(202) 263-4835
joshua.p.chadwick@frb.gov

Counsel for Defendant Board of Governors of the Federal Reserve System

CERTIFICATE OF SERVICE

I certify the foregoing *Defendants Federal Reserve Board of Governors and Federal Reserve Bank of Kansas City's Unopposed Motion for Leave to File Excess Pages* was served upon all parties to this action pursuant to the Federal Rules of Civil Procedure via CM/ECF on January 23, 2024.

Shannon M. Ward

OF HIRST APPLGATE, LLP
Attorneys for Defendant FRBKC